

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-01814-TNM**

ELECTRONIC PRIVACY INFORMATION CENTER v.  
 UNITED STATES DEPARTMENT OF JUSTICE  
 Assigned to: Judge Trevor N. McFadden  
 Cause: 05:552 Freedom of Information Act

Date Filed: 08/01/2018  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ELECTRONIC PRIVACY  
 INFORMATION CENTER**

represented by **Alan Jay Butler**  
 ELECTRONIC PRIVACY  
 INFORMATION CENTER  
 1718 Connecticut Avenue, NW  
 Suite 200  
 Washington, DC 20009  
 (202) 483-1140 ext 103  
 Fax: (202) 483-1248  
 Email: [butler@epic.org](mailto:butler@epic.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT OF  
 JUSTICE**

represented by **Marina Utgoff Braswell**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2561  
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 Email: [Marina.Braswell@usdoj.gov](mailto:Marina.Braswell@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 08/01/2018 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-5615934) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Department of Justice, # <u>3</u> Summons U.S. Attorney for the District of Columbia, # <u>4</u> Summons Attorney General of the United States)(Butler, Alan) (Entered: 08/01/2018) |
| 08/02/2018 |          | Case Assigned to Judge Trevor N. McFadden. (zjd) (Entered: 08/02/2018)  |
| 08/02/2018 | <u>2</u> | SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 08/02/2018)  |
| 08/02/2018 | <u>3</u> | STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 8/2/2018. (lctnm2) (Entered: 08/02/2018)  |
| 09/13/2018 | <u>4</u> | NOTICE of Appearance by Marina Utgoff Braswell on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Braswell, Marina) (Entered: 09/13/2018)  |
| 09/19/2018 | <u>5</u> | ANSWER to Complaint by UNITED STATES DEPARTMENT OF JUSTICE.(Braswell, Marina) (Entered: 09/19/2018)   |

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| 09/20/2018 |          | MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before October 19, 2018. Signed by Judge Trevor N. McFadden on 9/20/2018. (lctnm2) (Entered: 09/20/2018)   |
| 09/20/2018 |          | Set/Reset Deadlines: Joint Status Report due by 10/19/2018. (hmc) (Entered: 09/20/2018)   |
| 10/19/2018 | <u>6</u> | Joint STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Butler, Alan) (Entered: 10/19/2018)  |
| 10/22/2018 |          | MINUTE ORDER. Upon consideration of the parties' <u>6</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before November 6, 2018, proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. Signed by Judge Trevor N. McFadden on 10/22/2018. (lctnm2) (Entered: 10/22/2018)   |
| 10/23/2018 |          | Set/Reset Deadlines: Joint Status Report due by 11/6/2018. (hmc) (Entered: 10/23/2018)  |
| 11/06/2018 | <u>7</u> | Joint STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Butler, Alan) (Entered: 11/06/2018)  |
| 11/07/2018 |          | MINUTE ORDER. On October 22, 2018, the Court entered a minute order instructing the parties to file a Joint Status Report on or before November 6, 2018, to propose a schedule for proceeding in this matter, but the parties have requested additional time to determine the scope of the issues in dispute and to agree upon a schedule. So upon consideration of the parties' <u>7</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before November 20, 2018, proposing a schedule for proceeding in this matter. As previously instructed, the schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. Signed by Judge Trevor N. McFadden on 11/7/2018. (lctnm2) (Entered: 11/07/2018) |
| 11/07/2018 |          | Set/Reset Deadlines: Joint Status Report due by 11/20/2018. (hmc) (Entered: 11/07/2018)   |
| 11/20/2018 | <u>8</u> | Joint STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Butler, Alan) (Entered: 11/20/2018)  |
| 11/20/2018 |          | MINUTE ORDER. Upon considering the parties' <u>8</u> Joint Status Report, it is hereby ordered that the parties shall file a further status report outlining the scope of the issues in dispute and proposing a schedule for further proceedings, including dispositive motions briefing, if necessary, no later than January 7, 2019. Signed by Judge Trevor N. McFadden on 11/20/2018. (lctnm2) (Entered: 11/20/2018)   |
| 11/21/2018 |          | Set/Reset Deadlines: Joint Status Report due by 1/7/2019. (hmc) (Entered: 11/21/2018)   |
| 01/03/2019 | <u>9</u> | Consent MOTION to Stay ( <i>Defendant's Consent Motion to Stay Proceedings in Light of Lapse of Appropriations</i> ) by UNITED STATES DEPARTMENT OF JUSTICE (Braswell, Marina) (Entered: 01/03/2019)  |
| 01/03/2019 |          | MINUTE ORDER granting <u>9</u> Motion to Stay. Upon considering the Defendant's 40 Motion to Stay, it is hereby ordered that this matter shall be stayed until Congress has restored appropriations to the Department of Justice. It is further ordered that the  |

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|  |  | Defendant will notify the Court immediately upon resumption of appropriations.<br>Signed by Judge Trevor N. McFadden on 1/3/2019. (lctnm2) (Entered: 01/03/2019) |
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